REMARKS

In the Office Action, the Examiner stated that claims 1-10 are pending in the application and that claims 1-10 stand rejected. The Applicant has herein amended claims 1, 4-6 and 8 to correct formality errors. All other claims are unamended by this response.

In view of the following discussion, the Applicant respectfully submits that none of these claims 1-10 now pending in the application are anticipated under the provisions of 35 U.S.C. § 102. Thus, the Applicant believes that all of these claims are now in allowable form.

Rejections

A.   35 U.S.C. § 102

The Examiner rejected the Applicant's claims 1-10 under 35 U.S.C. § 102(e) as being anticipated by Chadwick (U.S. Patent No. 7,149,750). The rejection is respectfully traversed.

"Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim" (Lindemann Maschinenfabrik GmbH v. American Hoist & Derrik Co., 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1983)). (emphasis added). The Applicant submits that Chadwick fails to disclose each and every element of the Applicant's claimed invention arranged as in at least the Applicant's claim 1, which specifically recites:

> "Method for recording data, comprising the steps of:
> - recording a data container having a given container length;
> - recording a key indicative of a back-pointer;
> - recording a length indicator; and
>
> - recording a value indicative of the container length."

The Examiner alleges that Chadwick discloses "recording a key indicative of a back-pointer" as well as "recording a value indicative of the container length" and referred to col. 1, l. 26-32, col. 3, l. 60-61, col. 3, l. 63-67 and col. 5, l. 31-32 of Chadwick. The Applicant respectfully disagrees that Chadwick describes "a key indicative of a back-pointer", respectively a "back-pointer key", in the cited sections or

anywhere else. Further, no disclosure of "a value indicative of the container length" can be found in Chadwick.

In contrast to the invention of the Applicant, Chadwick describes MXF files wherein an MXF file has a file header that includes metadata providing information on the video content, also referred to as the "essence", which follows the file header. The MXF metadata is comprised of a plurality of objects that are encoded using the Key, Length, Value (KLV) coding scheme (Chadwick: col. 1, l. 21-26). According to Chadwick, the key is a unique 16 byte universal label specified in the SMPTE Metadata dictionary. For additional details of KLV metadata Chadwick refers to the publication entitled "Material Exchange Format (MXF): MXF Generic Container Format (Proposed SMPTE Standard)", filename: mxf7b-p5-b1-gc.doc (Jul. 30, 2001) and the "Material Exchange Format (MXF): Format Specification (Proposed SMPTE Standard)" (Chadwick: col. 3, l. 60-62, and col. 3, l. 65 – col. 4, l. 5). Chadwick, however, remains silent regarding any extension of key specification beyond the SMPTE Metadata dictionary. Instead, definition of metadata objects according to SMPTE dictionary is stressed by Chadwick in col. 8, l. 54-56, once more.

But at the time the invention was made, the SMPTE Metadata dictionary did not specify any unique 16 byte universal label indicative of any pointer, particularly no label or

"key indicative of a back-pointer",

as claimed in at least the Applicant's claim 1, was specified by the SMPTE Metadata dictionary. Nor does any of the publications referred to by Chadwick specify any such pointer, particularly no back-pointer, indicating key as taught and claimed by the Applicant.

Thus, although Chadwick mentions KLV format as well as a pointer to extracted essence, Chadwick cannot suggest the format of the pointer as being compliant with KLV coding scheme due to the fact that KLV format as specified by Chadwick is not suited for carrying any kind of pointer. Chadwick further mentions a universal media identifier (UMID)/location table providing location of essence wherein fields in the UMID/location table include a key column comprising the UMID and location fields indicating the location universally, i.e., by a Universal Resource Locator (URL) or a Universal Resource Identifier (URI).

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However, Chadwick does not mention any length indicator recorded in the UMID/location table. Further, Chadwick only describes universal (i.e., absolute) indication of a location. By contrast, the Applicant's invention as taught and claimed by at least the Applicant's claim 1, claims location in relative terms. Thus, even assumed that Chadwick would be suited for suggesting a pointer in a KLV format, the suggested KLV-pointer would differ from the Applicant's claimed invention at least in that it would indicate location in absolute or universal terms.

The Applicant's claimed invention relates to KLV back-pointer items recorded behind data containers of variable length and allowing for quick access to said data containers. By recording KLV back-pointer items behind data containers, the Applicant's invention advantageously allows for back-pointing by help of the claimed

"recording a value indicative of the container length"

of at least claim 1 which results in a very compact relative representation of the back-pointer compared to universal location indication as taught in Chadwick.

The Applicant submits that Chadwick is not suited for incorporating the advantage of relative pointers of the Applicant's claimed invention as Chadwick stores essence, metadata and UMID/location information in different and separate storage structures which requires pointing information to be absolute.

Therefore and for at least the reasons recited above, the Applicant submits that Chadwick fails to disclose each and every element of the Applicant's claimed invention, and specifically "recording a key indicative of a back-pointer" and "recording a value indicative of the container length" arranged as in at least the Applicant's claim 1.

Therefore, the Applicant submits that for at least the reasons recited above, the Applicant's claim 1 is not anticipated by the teachings of Chadwick, and, as such, fully satisfies the requirements of 35 U.S.C. § 102 and is patentable thereunder.

Likewise, the Applicant's independent claims 4, 6, 7 and 8 claim similar relevant features as claimed in the Applicant's claim 1. As such, the Applicant submits that claims 4, 6, 7 and 8 are also not anticipated by the teachings of Chadwick, and, as such, fully satisfy the requirements of 35 U.S.C. § 102 and are patentable thereunder.

Furthermore, the Applicant's dependent claims 2-3, 5 and 9-10 depend either directly or indirectly from the Applicant's independent claims 1, 4 and 8 and recite additional features thereof. As such, the Applicant submits that at least because the

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Applicant's claims 1, 4 and 8 are not anticipated by the teachings of Chadwick, the Applicant further submits that the Applicant's dependent claims 2-3, 5 and 9-10, which depend either directly or indirectly from the Applicant's claims 1, 4 and 8, are also not anticipated by the teachings of Chadwick, and, as such, fully satisfy the requirements of 35 U.S.C. § 102 and are patentable thereunder.

The Applicant reserves the right to establish the patentability of each of the claims individually in subsequent prosecution.

Conclusion

Thus the Applicant submits that none of the claims, presently in the application, are anticipated under the provisions of 35 U.S.C. § 102. Consequently, the Applicant believes that all these claims are presently in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion, it is respectfully requested that the Examiner telephone the undersigned.

No fee is believed due. However, if a fee is due, please charge the additional fee to Deposit Account No. 07-0832.

Respectfully submitted,

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